



PTO/SB/26 (09-04)

Approved for use through 07/31/2006. OMB 0651-0031

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REJECTION OVER A "PRIOR" PATENTDocket Number (Optional)
GTC-39C

In re Application of: Chen et al.

Application No.: 10/082,018

Filed: February 20, 2002

For: Novel Modified MSP-1 Nucleic Acid Sequences and Methods for Increasing mRNA Levels and Protein Expression in Cell Systems

The owner*, GTC Biotherapeutics, Inc., of 100 percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application which would extend beyond the expiration date of the full statutory term prior patent No. 09/175,683 as the term of said prior patent is defined in 35 U.S.C. 154 and 173, and as the term of said prior patent is presently shortened by any terminal disclaimer. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patent are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

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2. The undersigned is an attorney or agent of record. Reg. No. 42,960

Signature

January 30, 2006

Date

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